



DEPARTMENT OF THE ARMY
MULTI-NATIONAL DIVISION-BAGHDAD
CAMP LIBERTY, IRAQ
APO AE 09352

REPLY TO
ATTENTION OF:

AFZP-CG

31 December 2005

MEMORANDUM THRU


MNC-I, ATTN: C3, Camp Victory, Iraq, APO AE 09342

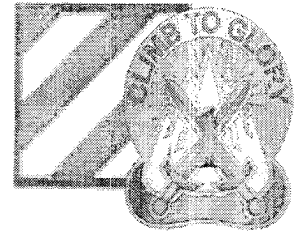
MNF-I, ATTN: J3, Camp Victory, Iraq, APO AE 09343

FOR Commander, U.S.CENTCOM, 7115 South Boundary Boulevard, Mac Dill, AFB, FL 33621

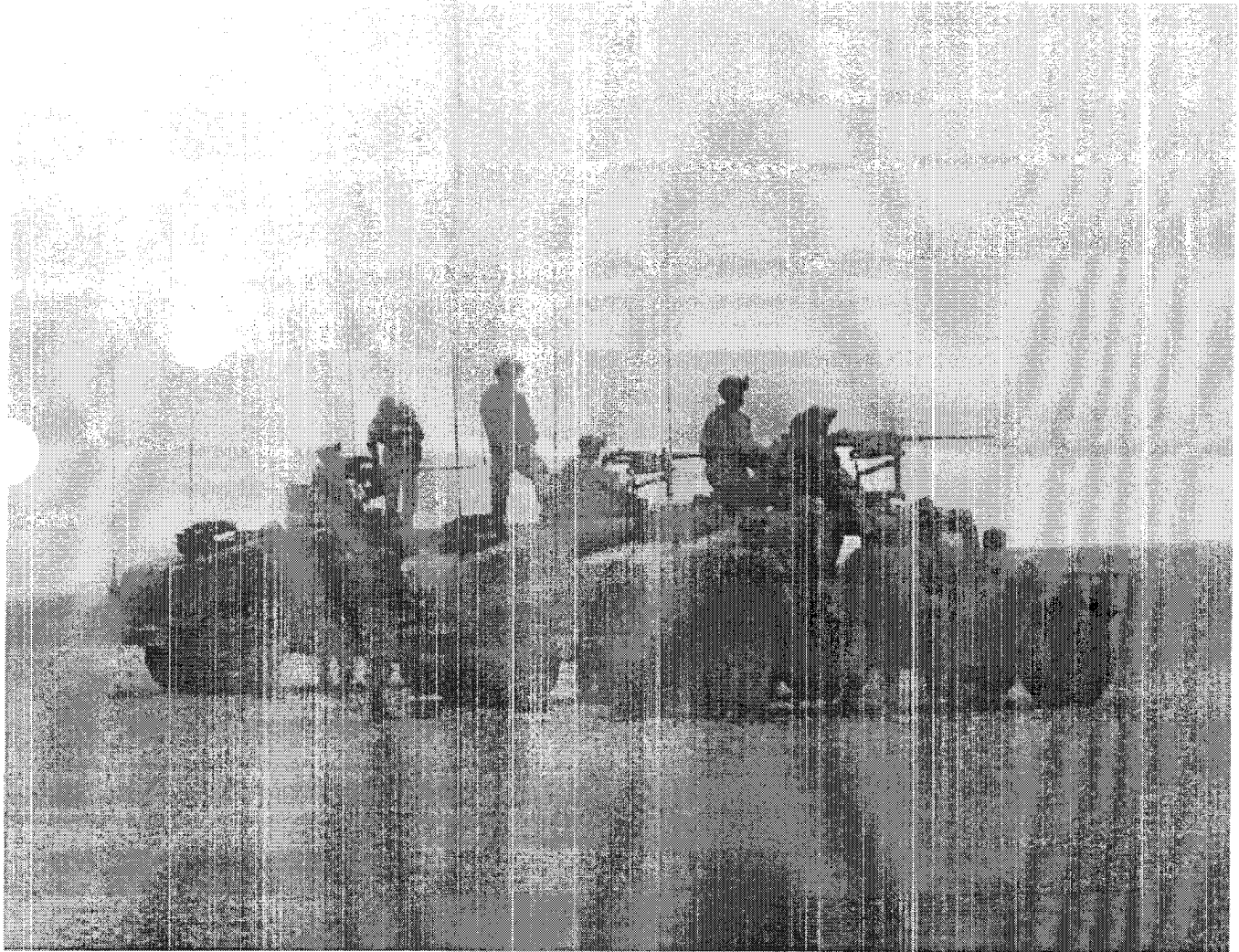
SUBJECT: Friendly Fire Incident-SSG Bass and SGT Meeuwsen, A/2-502 IN, 101st ABN (AA),
TF Baghdad-23 Nov 05

1. Pursuant to DODI 6055.7, Accident Investigation, Reporting and Record Keeping, I am forwarding you the attached investigation involving the deaths of SSG Aram Bass and SGT William Meeuwsen for your action and signature. SSG Bass and SGT Meeuwsen died on 23 November 2005 as a result of a friendly fire incident involving units from A/2-502 IN. I have reviewed this investigation and concur with the findings and recommendations with exceptions. The exceptions to the recommendations are listed in a separate memorandum included in the investigation.
2. As a result of this incident, I directed that 2nd BDE, 101st ABN (AA) conduct retraining on convoy preparation and day and night recognition. I have directed that every patrol have at least VS 17 panel or similar recognition symbol.
3. I further directed the CDR, 2nd BDE, 101st ABN (AA) to submit an Operational Needs Statement for any equipment he may need to conduct his mission. He will review his M1114 allocation and request additional vehicles or reorganize his internal task organization to properly man his patrols.
4. I have directed that commanders ensure that every Soldier is qualified on the weapon system that they are operating.
5. Point of contact is the Staff Judge Advocate at William.A.Hudson@us.army.mil.


WILLIAM G. WEBSTER
Major General, U.S. Army
Commanding



15-6 Investigation Friendly Fire Incident (23 NOV 05)



Investigating Officer: LTC Brian Drinkwine
(DCO, 1BCT, 10th MTN DIV (LI))

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is DTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by MG William G. Webster, Commanding General of MND-Baghdad, Camp Liberty, Iraq APO AE 09352
(Appointing authority)

on 25 Nov 2005 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Liberty, Iraq (Place) at 1200hrs (Time)

on 25 Nov 2005 (Date) (If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 0900hrs (Time) on 11 Dec 2005 (Date)
and completed findings and recommendations at 1200hrs (Time) on 13 Dec 2005 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ¹	NA ²
1. Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? (See item 9, below)			X
c. Other correspondence with respondent or counsel, if any?			X
d. All other written communications to or from the appointing authority?			X
e. Privacy Act Statements (Certificate, if statement provided orally)?			X
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1) Explain all negative answers on an attached sheet.

2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO	NA
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-2b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate --			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
	re all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
FOOTNOTES: 1) Explain all negative answers on an attached sheet. 2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.				

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:
See Attached.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:
See Attached.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)



Brian M. Drinkwine, LTC, Infantry

(Investigating Officer) (President)

(Recorder)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

See attached memo



WILLIAM G. WEBSTER
Major General, U.S. Army
Commanding



DEPARTMENT OF THE ARMY
MULTI-NATIONAL DIVISION-BAGHDAD
CAMP LIBERTY, IRAQ
APO AE 09362

REPLY TO
ATTENTION OF:

AFZP-CG

31 December 2005

MEMORANDUM FOR RECORD

SUBJECT: Friendly Fire Incident-SSG Bass and SGT Meeuwsen, A/2-502 IN, 101st ABN (AA),
TF Baghdad-23 November 2005

1. I have reviewed the AR 15-6 Investigation into the friendly fire incident involving units from A/2-502 IN that resulted in the death of SSG Bass and SGT Meeuwsen on 23 November 2005. I approve the findings and recommendations with the following additions and exceptions listed below.
2. 2nd BDE, 101st ABN (AA) will conduct retraining on convoy preparation and day and night recognition. The BDE CMD must report to me when this training is complete. I direct that every patrol have at least one VS 17 panel or similar recognition symbol.
3. I direct the CDR, 2-101 ABN (AA), to review his M1114 allocation to determine if additional vehicles are needed or if he needs to reorganize his current task organization in order to meet current mission. Furthermore, the CDR, 2-101 ABN (AA) will submit an Operational Needs Statement detailing any equipment that the brigade needs to complete the mission.
4. All Soldiers will be qualified on the weapon system that they are operating.

WILLIAM G. WEBSTER
Major General, U.S. Army
Commanding


19 December 2005

MEMORANDUM FROM Office of the Staff Judge Advocate, Administrative Law Division,
Task Force Baghdad, Iraq

MEMORANDUM FOR Approving Authority

SUBJECT: Legal Review-Friendly Fire Incident-23 Nov 05-A/2-502nd

1. After conducting a legal review of the subject Army Regulation (AR) 15-6 Investigation, I find it is legally sufficient IAW AR 15-6, para 2-3b.
 - a. The proceedings comply with legal requirements;
 - b. There are no substantial errors in the report of investigation;
 - c. There is sufficient evidence to support the Investigating Officer's (IO) findings; and
 - d. The recommendations are consistent with the findings.
2. The POC for this memorandum is the undersigned at 242-4084


AMY M. BAJUS
MAJ, JA
Chief, Administrative Law



DEPARTMENT OF THE ARMY
Headquarters, 1st Brigade Combat Team, 10th Mountain Division (LI)
Camp Liberty, Baghdad, Iraq
APO AE 09376



AFZS-LI-Z

12 December 2005

MEMORANDUM FOR RECORD

SUBJECT: 15-6 Investigation Report A/2-502nd Friendly Fire Incident 23 Nov 05

I. Findings.

a. General Incident Overview. On 23 Nov 05 at approximately 1630hrs, [redacted] and [redacted] were killed in action along with three fellow Soldiers wounded in action and one local national interpreter, all from 2nd Platoon, Alpha Company, 2-502nd, 2nd BDE – 101st AASLT due to friendly fire from a sister platoon in Alpha Company.

On the late afternoon of 23 Nov 05, [redacted] was conducting an area recon and maneuvering his section "Gator" of 3rd Platoon, Company A, 2-502nd when several members of his patrol overheard small arms fire, machinegun fire, and small explosions to their direct West. Shortly thereafter, [redacted] of 2nd Platoon radioed Gator and inquired if they had heard the firefight and was Gator in contact. [redacted] responded to [redacted] that Gator was not in contact. He then decided to maneuver his 4 x HMMWV patrol to the West along Route [redacted], in order to recon what was occurring and possibly engage and defeat suspected AIF forces.

Unknown to [redacted], [redacted], or to the Alpha Company Command Post was that "Gator" [redacted] and a small dismounted patrol had been engaged by AIF forces. [redacted] and his 6 man element were at that time breaking contact and maneuvering to a house to seek cover and attempt to raise the 2nd Platoon base element [redacted] Alpha Company "Gator" [redacted] or [redacted] (AH-64s) in order to reinforce the troops in contact. [redacted] was wounded, possibly by a sniper or marksman, and his patrol (5 Soldiers and 1 local national TERP) broke contact and had cleared a house South of [redacted] and had occupied the rooftop in an effort to make communications. Gator [redacted] engaged AIF forces from the rooftop and when attempts at communication failed, [redacted] hotwired a Bongo truck in order to extract the patrol and move the wounded [redacted] back to the base element of 2nd platoon at the newly established patrol base (MB, [redacted]). The patrol quickly loaded the Bongo, and believing AIF were repositioning sped Eastward on the North side of [redacted] at approximately 1625hrs.

Unknown to [redacted] (the TC) or [redacted] (Driver), Gator [redacted] was maneuvering Westward on the South side of [redacted] in order to develop the situation and possibly defeat the suspected AIF. At 1628hrs, the Bongo truck was first seen by [redacted] M2 .50cal gunner of the lead HMMWV [redacted], and at approximately 800ft, a weapon was observed by [redacted] outside of the passenger window, shaking up and down. A few seconds later, the truck appeared to speed up and continue Eastward headed directly for the Gator Patrol. [redacted] yelled to his TC [redacted] "Sir, they've got weapons" at [redacted] believed that his patrol was under threat and this was either a hostile force, or Iraqi's exhibiting hostile intent, and in those few seconds issued the order for his M2 gunner [redacted] to engage the Bongo truck and defeat the threat. At an estimated distance of 400ft,

the initial rounds of the M2 impacted the Bongo truck, and then other Soldiers in the Gator patrol opened fire to defeat the apparent threat. At no time were there any visible friendly markings on the Bongo truck, nor could any Soldiers wearing ACUs or ACH helmets be observed by the Gator element.

The driver received fatal wounds as did the TC as the truck rolled to a halt at approximately 128ft from the lead HMMWV across the small irrigation canal that separates the two dirt roads named Route . In addition to the two NCOs KIA, the local national TERP was wounded, - Medic, - Patrol Leader and - RTO were all wounded; all who were inside the bed of the truck facing toward the rear (West). Upon the vehicle coming to a stop against a small tree both and directed a cease fire, and upon dismounting identified that those in the Bongo Truck were friendly forces. He acted quickly and called forward the Eagle First Responders (EFRs) and Patrol Medic and began the process of treating the wounded and requesting a MEDEVAC.

b. Findings. acted in accordance with published ROE and Escalation of Force policies and guidelines. and the other Gator patrol members who fired at the Bongo truck also acted in accordance with published ROE and Escalation of Force policies and guidelines believing the Bongo was a hostile force or AIF with hostile intent, and thereby defended themselves (Exhibits T, U, V, W). was not aware that Gator was conducting a dismounted patrol forward and West along and there were no visible markings or signals used by Gator in the Bongo as they approached the mounted Gator patrol. In the few seconds available to him prior to ordering his M2 gunner to initiate fire, he observed the Bongo acting erratically, a weapon was observed outside the vehicle, and he believed this was AIF coming from the recent firefight that he was moving towards to investigate. In his own words he believed "They were going to Jihad it" right here, and thus he identified the Bongo Truck as an AIF element with hostile intent (possible VBIED, suicide squad, or AIF), and prudently ordered his element to defeat the threat (Exhibits T, U, V, W, 14, 15). However, during the process of this investigation the investigating officer determined there were several factors present worth highlighting, in order to reduce the likelihood of possible future Blue on Blue friendly fratricide incidents in this asymmetric operational environment.

II. Specific Overview of Incident (Diagrams 3 - 6).

a. At 2000hrs, 21 Nov 05 received a verbal WARNO from the Alpha Company XO. The mission would occur starting the 22nd, and was planned to be for 28-36 hrs in duration. 2nd Platoon was to relieve the Gator Patrol (3rd Platoon) in sector, and conduct: Task 1: Cache Search at MB, Purpose 1: In order to deny AIF weapons caches, and Task 2: Establish a Forward Patrol Base vic and Purpose 2: in order to establish permanent presence overwatching a heavy IED area (Exhibit 1). conducted a verbal to his NCO and, that evening, and then on the morning of the 22nd, received a short update from the Company XO. He also received an overview and threat update from the Battalion Battle CPT and some guidance from the Bn S3 before conducting his patrol order to the entire patrol (Exhibit 1). The patrol departed on/around on 22 Nov 05 1100hrs with (Diagram 2). They then proceeded to the farmhouse vic (MB) to conduct a cache search. Of note that morning they had received one HMMWV out of maintenance, and a newly assigned HMMWV and were late departing on their original planned SP by at least 2